

**HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL JURISDICTION**

WRIT PETITION (Ld.) NO. 2638 OF 2005

Ramchandra R. Yadhav & Ors.

..Petitioners.

Versus.

BMC & Anr.

..Respondents.

Smt. Betty D'souza i/b M/s. M. P. Vashi & Associates
for the Petitioners.

Smt. Aruna Savala for the BMC.

**CORAM: Smt. Ranjana P. Desai,
& Abhay S. Oka, JJ.**

DATE : December 21, 2005.

P.C.

1. The petitioners have challenged the demolition of the five stables belonging to the petitioners carried out on 29.9.2005 by the Fifth respondent - Assistant Commissioner, S-Ward. It appears that the demolition is carried out pursuant to the order dated 26.9.2005 passed by the Assistant Commissioner, S-Ward. We find that on 9.9.2005 show-cause notice was issued and date of hearing was fixed on 26.9.2005. Admittedly, hearing was given to the petitioners and after hearing them the order dated 26.9.2005 came to be passed and pursuant thereto the stables came to be demolished. This action has been

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taken by the respondent - Corporation pursuant to the
orders passed by the Division Bench of this Court in
PIL Writ No. 2116 of 2005 on 21.8.2005. We do not
find that there is any procedural flaw. Hearing has
been given to the petitioners as directed and
thereafter demolition is carried out. No case is made
for interference. Hence, petition is dismissed.

(SMT. RANJANA P. DESAI, J.)

(ABHAY S. OKA, J.)